

FILED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MAR 14 2008

JUDGE REBECCA R. PALLMEYER
UNITED STATES DISTRICT COURT

UNITED STATES OF AMERICA)	
)	08 CR 215
v.)	
)	Hon. Amy J. St. Eve
KONSTANTINOS ALEXOPOULOS)	
)	Hon. Rebecca R. Pallmeyer
)	Emergency Judge

EMERGENCY MOTION FOR MATERIAL WITNESS WARRANTS

The UNITED STATES OF AMERICA, by PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, respectfully moves this Court to issue eleven material witness warrants, pursuant to Title 18, United States Code, Section 3144, with regard to the investigation of defendant Konstantinos Alexopoulos's violation of Title 8, United States Code, Section 1324. In support of this motion, the government incorporates the attached affidavit of Assistant United States Attorney Steven A. Block. Proposed material witness warrants are also attached to this motion.

Respectfully submitted,

PATRICK J. FITZGERALD
United States Attorney

By: 
STEVEN A. BLOCK
Assistant United States Attorney
(312) 886-7647

Dated: March 14, 2008

STATE OF ILLINOIS)
)
COUNTY OF COOK)

AFFIDAVIT

Steven A. Block, Assistant United States Attorney, being duly sworn, deposes and states as follows:

1. I am the Assistant United States Attorney who is assigned to handle *United States v. Konstantinos Alexopoulos*, No. 08 CR 215. This affidavit is submitted in support of the government's request that this Court issue several material witness warrants.

2. Defendant Konstantinos Alexopoulos was indicted on March 13, 2008. The indictment alleges that, from on or about July 2004 through on or about February 20, 2008, the defendant knowingly and in reckless disregard of the fact that eleven foreign nationals had entered and remained in the United States in violation of law, concealed, harbored, and shielded from detection those aliens within the United States for the purpose of commercial advantage and private financial gain, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii) and 1324(a)(1)(B)(i).

3. The defendant's arraignment has not yet been scheduled.

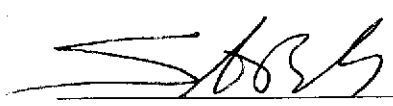
4. The following individuals are currently in the administrative custody of the Department of Homeland Security, Immigrations and Customs Enforcement, and are subject to imminent deportation. However, these individuals have information material to the prosecution of the defendants, and therefore should have material witness warrants issued in their names:

NAME	DOB	ALIEN #
Florencio Chapol-Fiscal	1/3/64	77657660
Jesus Gutierrez-Sanchez	4/23/74	77657655
Andres Toto-Cholo	11/10/80	77657656

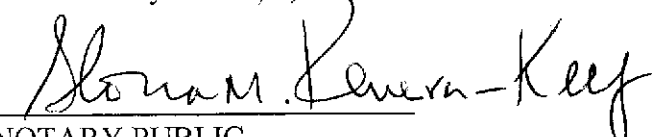
Efrain Escriban-Belli	3/1/78	77657662
Guadencio Castro-Fausto	4/24/86	77657659
Fermin Buevaventura-Valero	7/7/50	77657657
Ismael Lopez-Mendoza	7/7/80	77657661
Jenaro Cortez-Martinez	9/19/89	77657658
Marcos Torres	4/25/76	77657636
Miguel De Arcos	6/15/85	77657637
Juan Gallegos-Sanchez	9/2/78	77657638

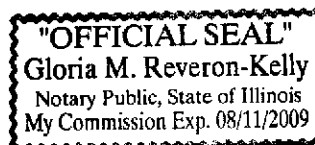
4. The government seeks to have the aforementioned individuals transferred to the custody of the U.S. Marshals Service in order to preserve the parties' opportunity to take depositions of these individuals. *See* Fed. R. Crim. Pro. 15. Accordingly, the government suggests that a status hearing be set for 21 days from the date the warrants are issued, at which time the continued detention of some or all of these individuals can be further evaluated.

5. This motion is emergent in nature because officials with the Department of Homeland Security, Immigrations and Customs Enforcement, have informed the Government that these individuals have been in administrative custody for approximately three weeks and will be removed to Mexico as soon as practicable. I have contacted counsel for the defendant, Jonathan Minkus, by telephone to inform him that the Government filed this emergency motion and to inform him that the Grand Jury had returned an indictment against his client. Counsel has no objection to this motion.


 Steven A. Block
 Assistant United States Attorney

SUBSCRIBED AND SWORN TO BEFORE ME
 this 14 th day of March, 2008.


 NOTARY PUBLIC



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	08 CR 215
v.)	
)	Hon. Amy J. St. Eve
KONSTANTINOS ALEXOPOULOS)	
)	Hon. Rebecca R. Pallmeyer
)	Emergency Judge

WARRANT FOR ARREST OF WITNESS

To: United States Marshal or any other duly authorized law enforcement officer

You are hereby commanded to arrest Florencio Chapol-Fiscal (DOB 1/03/64, A#77657660) and to bring said individual forthwith before this Court, as a material witness, it having become impracticable to secure the individual's presence by subpoena.

You are further commanded to detain the individual in your custody until said individual is discharged by the Court.

Upon order of the Hon. Rebecca R. Pallmeyer, United States District Judge, Northern District of Illinois, this 14th day of March, 2008.

Clerk

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WARRANT FOR ARREST OF WITNESS

To: United States Marshal or any other duly authorized law enforcement officer

You are hereby commanded to arrest Jesus Gutierrez-Sanchez (DOB 4/23/74, A#77657655) and to bring said individual forthwith before this Court, as a material witness, it having become impracticable to secure the individual's presence by subpoena.

You are further commanded to detain the individual in your custody until said individual is discharged by the Court.

Upon order of the Hon. Rebecca R. Pallmeyer, United States District Judge, Northern District of Illinois, this 14th day of March, 2008.

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WARRANT FOR ARREST OF WITNESS

To: United States Marshal or any other duly authorized law enforcement officer

You are hereby commanded to arrest Andres Toto-Cholo (DOB 11/10/80, A#77657656) and to bring said individual forthwith before this Court, as a material witness, it having become impracticable to secure the individual's presence by subpoena.

You are further commanded to detain the individual in your custody until said individual is discharged by the Court.

Upon order of the Hon. Rebecca R. Pallmeyer, United States District Judge, Northern District of Illinois, this 14th day of March, 2008.

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WARRANT FOR ARREST OF WITNESS

To: United States Marshal or any other duly authorized law enforcement officer

You are hereby commanded to arrest Efrain Escriban-Belli (DOB 3/01/78, A#77657662) and to bring said individual forthwith before this Court, as a material witness, it having become impracticable to secure the individual's presence by subpoena.

You are further commanded to detain the individual in your custody until said individual is discharged by the Court.

Upon order of the Hon. Rebecca R. Pallmeyer, United States District Judge, Northern District of Illinois, this 14th day of March, 2008.

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WARRANT FOR ARREST OF WITNESS

To: United States Marshal or any other duly authorized law enforcement officer

You are hereby commanded to arrest Guadencio Castro-Fausto (DOB 4/24/86, A#77657659) and to bring said individual forthwith before this Court, as a material witness, it having become impracticable to secure the individual's presence by subpoena.

You are further commanded to detain the individual in your custody until said individual is discharged by the Court.

Upon order of the Hon. Rebecca R. Pallmeyer, United States District Judge, Northern District of Illinois, this 14th day of March, 2008.

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)	Emergency Judge

WARRANT FOR ARREST OF WITNESS

To: United States Marshal or any other duly authorized law enforcement officer

You are hereby commanded to arrest Fermin Buenaventura-Valero (DOB 7/7/50, A#77657657) and to bring said individual forthwith before this Court, as a material witness, it having become impracticable to secure the individual's presence by subpoena.

You are further commanded to detain the individual in your custody until said individual is discharged by the Court.

Upon order of the Hon. Rebecca R. Pallmeyer, United States District Judge, Northern District of Illinois, this 14th day of March, 2008.

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WARRANT FOR ARREST OF WITNESS

To: United States Marshal or any other duly authorized law enforcement officer

You are hereby commanded to arrest Ismael Lopez-Mendoza (DOB 7/7/80, A#77657661) and to bring said individual forthwith before this Court, as a material witness, it having become impracticable to secure the individual's presence by subpoena.

You are further commanded to detain the individual in your custody until said individual is discharged by the Court.

Upon order of the Hon. Rebecca R. Pallmeyer, United States District Judge, Northern District of Illinois, this 14th day of March, 2008.

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)	Emergency Judge

WARRANT FOR ARREST OF WITNESS

To: United States Marshal or any other duly authorized law enforcement officer

You are hereby commanded to arrest Jenaro Cortez-Martinez (DOB 9/19/89, A#77657658) and to bring said individual forthwith before this Court, as a material witness, it having become impracticable to secure the individual's presence by subpoena.

You are further commanded to detain the individual in your custody until said individual is discharged by the Court.

Upon order of the Hon. Rebecca R. Pallmeyer, United States District Judge, Northern District of Illinois, this 14th day of March, 2008.

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WARRANT FOR ARREST OF WITNESS

To: United States Marshal or any other duly authorized law enforcement officer

You are hereby commanded to arrest Marcos Torres (DOB 4/25/76, A#77657636) and to bring said individual forthwith before this Court, as a material witness, it having become impracticable to secure the individual's presence by subpoena.

You are further commanded to detain the individual in your custody until said individual is discharged by the Court.

Upon order of the Hon. Rebecca R. Pallmeyer, United States District Judge, Northern District of Illinois, this 14th day of March, 2008.

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WARRANT FOR ARREST OF WITNESS

To: United States Marshal or any other duly authorized law enforcement officer

You are hereby commanded to arrest Miguel De Arcos (DOB 6/15/85, A#77657637) and to bring said individual forthwith before this Court, as a material witness, it having become impracticable to secure the individual's presence by subpoena.

You are further commanded to detain the individual in your custody until said individual is discharged by the Court.

Upon order of the Hon. Rebecca R. Pallmeyer, United States District Judge, Northern District of Illinois, this 14th day of March, 2008.

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WARRANT FOR ARREST OF WITNESS

To: United States Marshal or any other duly authorized law enforcement officer

You are hereby commanded to arrest Juan Gallegos-Sanchez (DOB 9/2/78, A#77657638) and to bring said individual forthwith before this Court, as a material witness, it having become impracticable to secure the individual's presence by subpoena.

You are further commanded to detain the individual in your custody until said individual is discharged by the Court.

Upon order of the Hon. Rebecca R. Pallmeyer, United States District Judge, Northern District of Illinois, this 14th day of March, 2008.

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CERTIFICATE OF SERVICE

The undersigned Assistant United States Attorney hereby certifies that, on March 14, 2008, in accordance with Fed. R. Crim. P. 49, Fed. R. Civ. P. 5, L.R. 5.5, and the General Order on Electronic Case Filing (ECF), the following documents:

**GOVERNMENT'S EMERGENCY MOTION
FOR MATERIAL WITNESS WARRANTS**

were served pursuant to the district court's ECF system as to all ECF filers, and by first-class mail to non-ECF filers, if any.

Respectfully submitted,
PATRICK J. FITZGERALD
United States Attorney

By: 

STEVEN A. BLOCK
Assistant United States Attorney
219 South Dearborn Street, 5th Floor
Chicago, IL 60604
(312) 886-7647